

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**DON BLANKENSHIP,**

**Plaintiff,**

**v.**

**FOX NEWS NETWORK, LLC, et al.**

**Defendants.**

**Civil Action No. 2:19-cv-00236**

**Honorable John T. Copenhaver Jr.**

**RESPONSE TO ORDER TO SHOW CAUSE**

**TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF  
RECORD:**

In response to this Court's August 31, 2021 Order (ECF No. 986), Plaintiff Don Blankenship ("Mr. Blankenship") hereby represents to this Court that he will dismiss without prejudice the following individuals and entities from this action:

- Chris Jones;
- Matt Howerton;
- Hayride Media, LLC ("Hayride"); and
- Jim Heath

Concurrently with this Response, Mr. Blankenship has filed a Notice of Dismissal without Prejudice as to Mr. Jones, Mr. Howerton, and Hayride.

Mr. Heath has appeared in this action. Pursuant to Fed. R. Civ. P. 41 (a)(1)(A)(ii), a stipulation of dismissal must be signed by all parties who have appeared before the plaintiff may dismiss an action with a court order. Mr. Blankenship's counsel sent an email to Mr. Heath requesting to consent to the dismissal but has hitherto received no response. Mr. Blankenship intends to dismiss Mr. Heath from this action and will make further efforts to obtain Mr. Heath's

consent to the dismissal. In that regard, Mr. Blankenship will provide the Court with a status update on such efforts in 30 days.

**DON BLANKENSHIP**  
**By counsel**

/s/ Jeremy Gray  
**Jeremy Gray ESQ**  
**CASB #150075 pro hac vice**  
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**CERTIFICATE OF SERVICE**

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I hereby certify that I electronically filed the foregoing **RESPONSE TO ORDER TO SHOW CAUSE** with the Clerk of Court using the CM/ECF system which will send notice to all CM/ECF participants.

Date: September 20, 2021

/s/ Jeremy Gray

**Jeremy Gray ESQ  
CASB #150075 pro hac vice  
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